

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Bella Woods Rezone from A-1 (Agriculture) to PUD (Planned Unit Development)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Tina Williamson **CONTACT:** Austin Watkins **EXT.** 7440

Agenda Date 9/5/07 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request to rezone 3.34 ± acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road, from A-1 (Agriculture) to PUD (Planned Unit Development), and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order, per staff findings; (Larry W. Hodges, applicant); or
2. **RECOMMEND DENIAL** of the request to rezone 3.34 ± acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road, from A-1 (Agriculture) to PUD (Planned Unit Development); (Larry W. Hodges, applicant); or
3. **CONTINUE** the item to a time and date certain.

District 1 – Dallari

Austin Watkins, Senior Planner

BACKGROUND:

The applicant requests a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on approximately 3.34 acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road. The requested zoning will allow a maximum of seven lots that are a minimum of 11,000 square feet, with a stormwater retention pond with includes a mulch trail and bench. The net density of the proposed PUD is 2.59 dwelling units per net buildable acre. The existing Future Land Use on the property

Reviewed by: _____
Co Atty: LCF
DFS: _____
OTHER: _____
DCM: _____
CM: _____

File No. Z2007-25

is Low Density Residential which allows for a maximum of 4 dwelling units per acre.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone 3.34± acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road, from A-1 (Agriculture) to PUD (Planned Unit Development), and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.

Attachments:

Location Map
Land Use & Zoning Map
Aerial Map
Preliminary Master Plan
Approval Development Order
Rezone Ordinance
Denial Development Order (applicable if the request is denied)
School District Analysis

Bella Woods Rezone		
APPLICANT	Larry W. Hodges	
PROPERTY OWNER	H. L. RE Investments, LLC	
REQUEST	Rezone from A-1 (Agriculture) to PUD (Planned Unit Development)	
PROPERTY SIZE	3.34 ± acres	
HEARING DATE (S)	P&Z: September 5, 2007	BCC: October 23, 2007
PARCEL ID	25-21-30-300-0120-0000	
LOCATION	Located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road	
FUTURE LAND USE	Low Density Residential (LDR)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2007-25	
COMMISSION DISTRICT	#1 – Dallari	

Proposed Development:

The applicant is proposing a residential subdivision consisting of seven lots. (11,000 square feet minimum lot size) with an amenitized stormwater retention pond to include a mulch trail and bench.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant is requesting to rezone 3.34 ± acres from A-1 (Agriculture) to PUD (Planned Unit Development) for a seven lot residential subdivision located on the north side of Dike Road.

The following tables depict the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of PUD (Planned Unit Development):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PUD)
Minimum Lot Size	43,560 square feet	11,000 square feet
Minimum House Size	N/A	1,100 square feet
Minimum Width at Building Line	150 feet	75 feet
Front Yard Setback	50 feet	20 feet
Side Yard Setback	30 feet	7.5 feet
Side Street Setback	50 feet	15 feet
Rear Yard Setback	10 feet	25 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses		A-1 (Agriculture)	PUD (proposed)
Permitted Uses	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.		Single-Family Dwelling, Home Occupations, Home Offices.
Special Exception Uses	Special Exceptions such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.		N/A
Minimum Lot Size	43,560 sq. ft.		11,000 sq. ft.

COMPATIBILITY WITH SURROUNDING PROPERTIES

The surrounding area has the Low Density Residential Future Land Use designation and is assigned the A-1, R-1A, R-1AA, or R-1AAA zoning classification. The applicant is proposing a minimum lot size of 11,000 square feet and a minimum width at the building line of 75 feet. This is consistent with the surrounding single-family subdivisions to the north and south of the subject property.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map panel number 12117C0145E, with an effective date of 1995, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on preliminary analysis, there may be endangered and threatened wildlife on the subject property. A threatened and endangered study along with a species of special concern survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)*	Proposed Development (PUD)¹	Net Impact
Water (GPD)	1,050	2,450	+ 1,400
Sewer (GPD)	900	2,100	+ 1,200
Traffic (ADT)	29	67	+ 38

* Numbers are based on a 3 unit residential subdivision.

¹ Proposed PUD Development is based on a 7 unit residential subdivision.

Utilities:

The site is located in the Southeast Seminole County utility service area, and will be required to connect to public utilities. There is a 30-inch water main on the south side of Dike Rd, a 12-inch force main on the west side of Tuskawilla Rd, and a gravity sewer manhole to the northwest in the Stonehurst Subdivision. The subject property is in the ten year master plan for reclaimed water. A separate reclaimed water utility system is required. This system will be charged by a temporary jumper from the potable water main and must be connected to reclaimed water when it becomes available.

Transportation / Traffic:

The property proposes access onto Dike Road, which is classified as a local road. Dike Road is currently operating at a level-of-service "A" and does not have improvements programmed in the County 5-year Capital Improvement Program or FDOT 5-year Work Program.

School Impacts:

The Seminole County Public School District has prepared an analysis which is included as an attachment to this report.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin, and has limited downstream capacity. The site will have to be designed to hold 25-year, 96-hour volumetric difference.

Parks, Recreation and Open Space:

The applicant will need to designate .81 acres of usable open space, per Section 30.451 (e) of the Land Development Code. The details of the open space and amenities will be provided at the time of the Final Master Plan Approval.

Buffers and Sidewalks:

The applicant is not proposing any buffers. The applicant is required to build a sidewalk along their frontage of Dike Road. At this time there are no sidewalks along the north side of Dike Road, however if the adjacent properties develop they will be required to build sidewalks to connect to the proposed sidewalk.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The subject property is not located within any special district or overlay.

COMPREHENSIVE PLAN (VISION 2020)

The County's Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The proposed project is consistent with the following list of policies (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning Classifications
Policy FLU 12.4: Relationship of Land Use to Zoning Classifications
Policy FLU 12.5: Evaluation Criteria of Property Rights Assertions
Policy PUB 2.1: Public Safety Level-of-Service
Policy POT 4.5: Potable Water Connection
Policy SAN 4.4: Sanitary Sewer Connection
Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

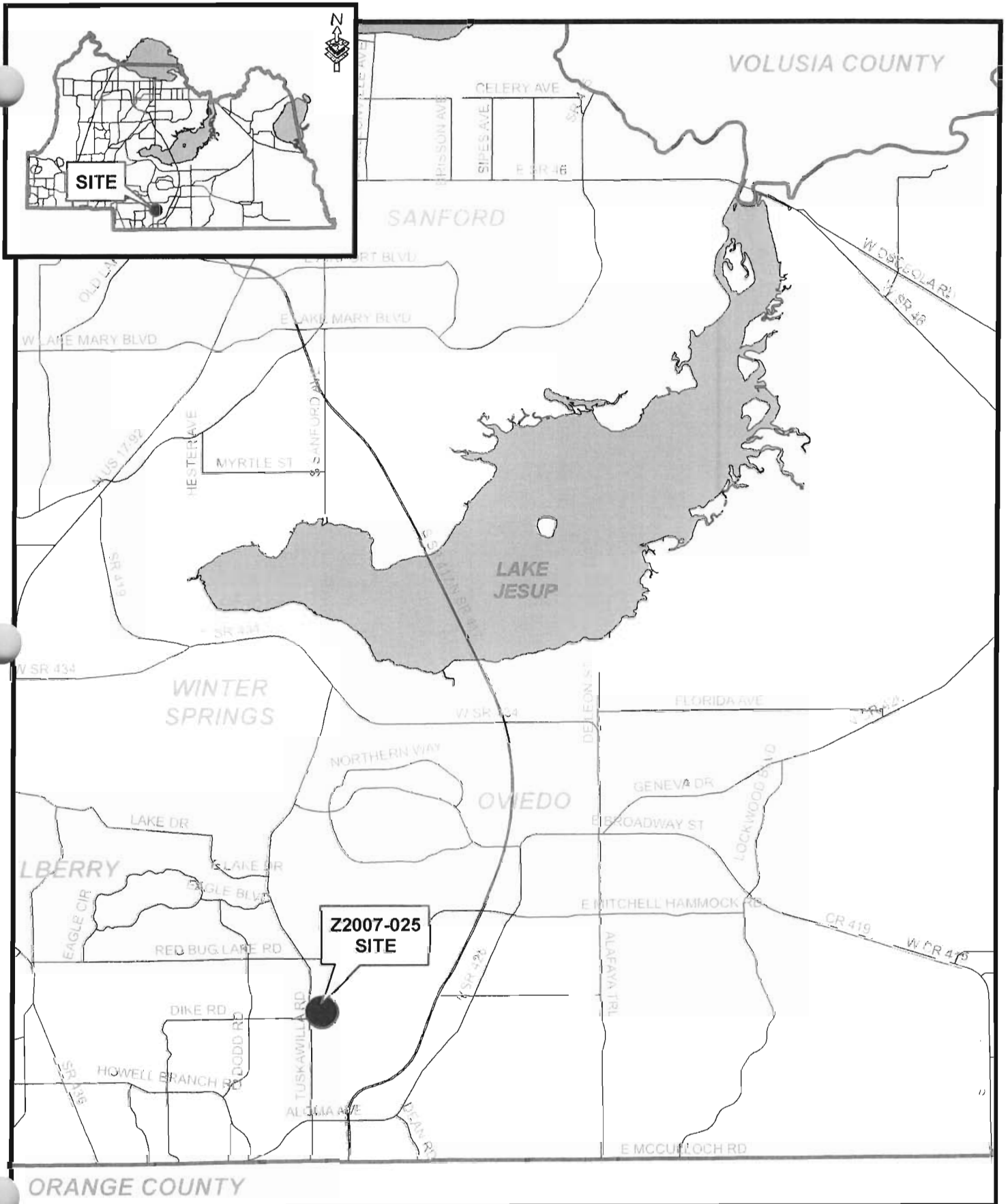
An intergovernmental notice was sent to the Seminole County School Board on May 11, 2007 and they have provided a School Capacity Analysis, which is attached.

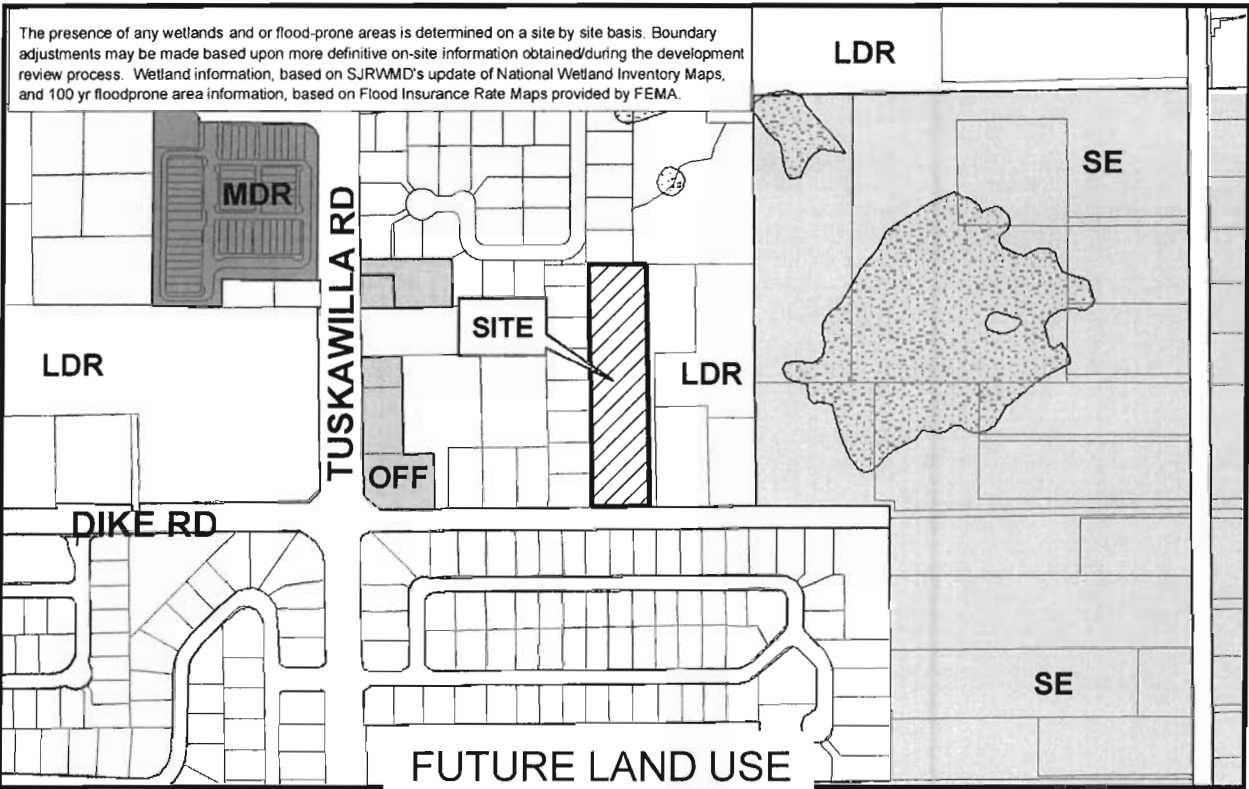
LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has received no letters of support or opposition.

STAFF RECOMMENDATION:

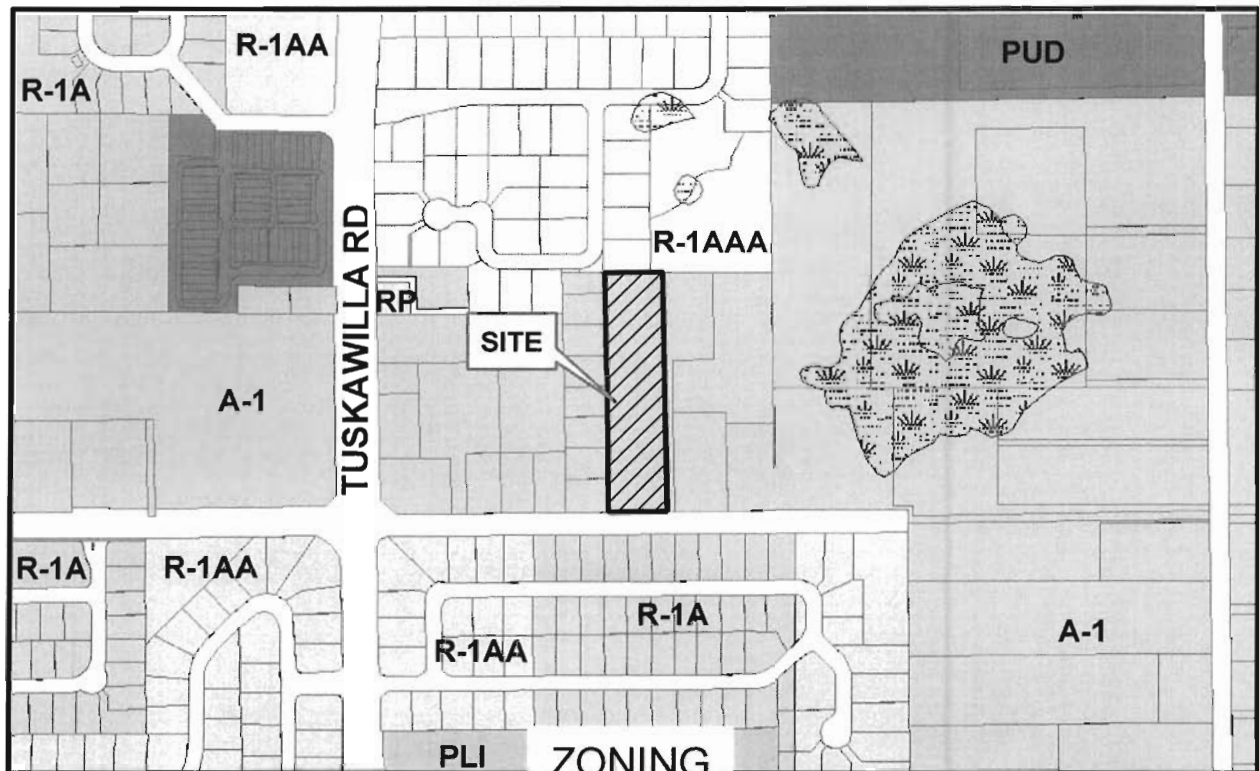
Staff recommends APPROVAL of the request to rezone 3.34 ± acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road, from A-1 (Agriculture) to PUD (Planned Unit Development), and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.





Applicant: Larry Hodges
 Physical STR: 25-2130-300-0120-0000
 Gross Acres: 3.34 +/- BCC District: 1
 Existing Use: Single Family Residential
 Special Notes: _____

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2007-025	A-1	PUD



A-1
 R-1A
 R-1AA
 R-1AAA
 PUD
 RP
 PLI
 FP-1
 W-1



Rezone No: Z2007-025
 From: A-1 To: PUD

- ☐ Parcel
- ☒ Subject Property



Winter 2006 Color Aerials

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 23, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit "A".

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: H. L. RE Investments LLC
1803 S. Australian Ave Ste. A
West Palm Beach, FL 33409

Project Name: Bella Woods PUD Rezone

Requested Development Approval:

Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on approximately 3.34 acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by:
Austin Watkins, Senior Planner
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. All development shall comply with the Preliminary Master Plan attached as Exhibit "B".
- b. The maximum allowable density shall not exceed 2.59 dwelling units per net buildable acre, up to a maximum of 7 dwelling units
- c. Maximum allowable building height shall be 35 feet.
- d. The setbacks shall be as follows:

Front:	20 Feet (measured from the property line or edge of sidewalk, whichever is closer to the building)
Side:	7.5 Feet
Rear:	25 Feet
Side Street:	15 Feet

- e. The minimum lot size for single-family dwellings shall be a minimum of 11,000 square feet.
- f. The permitted uses shall be single-family detached dwellings, home offices, and home occupations.
- g. All landscape buffers and common areas shall be maintained by a homeowners association.
- h. A minimum of 25% useable open space shall be provided for the entire PUD. The stormwater retention pond shall be amenitized with a mulch path and bench to be counted towards common open space.
- i. There shall be one access point on Dike Road as shown on Exhibit "B".

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly

covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley
Chairman, Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, H. L. RE Investments LLC, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Larry W. Hodges, Authorized Agent

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Larry W. Hodges who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT "A"

LEGAL DESCRIPTION

The South 12 Chains of the W $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 21 South, Range 30 East less West 140 feet of the South 12 Chains of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Lying North of Highway, Section 25, Township 21 South, Range 30 East, Seminole County, Florida.

Contains: 145,323 Square Feet or 3.34 Acres more or less.

Z2007-25

Development Order # 07 20500001

EXHIBIT "B"

Preliminary Master Plan

PRELIMINARY MASTER PLAN

FOR

BELLA WOODS

SEMINOLE COUNTY, FLORIDA

JUNE, 2007

OWNER/DEVELOPER:
MR. LARRY HODGES

H.L. R. E. INVESTMENTS, LLC
1803 SOUTH AUSTRALIAN AVENUE
WEST PALM BEACH, FL 33408

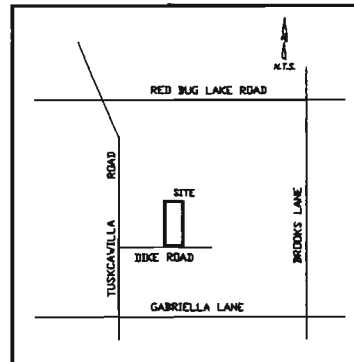
ENGINEER:
GEORGE GARRETT & ASSOCIATES, INC.

P.O. BOX 532088
ORLANDO, FLORIDA 32853
407-288-9882

PROJECT INFORMATION

SURVEYOR:	ACQUINIGHT SURVEY 2012 E. ROBINSON STREET ORLANDO, FLORIDA 32803 407-984-4314
EXISTING PLU / ZONING:	LDR / A-1
PROPOSED PLU / ZONING:	LDR / PLD
SITE AREA:	3.34 ACRES
PROPOSED DEVELOPMENT:	7 SINGLE FAMILY LOTS
MINIMUM LOT SIZE:	9,000 S.F.
MINIMUM LOT WIDTH:	75 FEET AT BUILDING LINE
MAXIMUM HEIGHT:	36 FEET
MINIMUM LIVING AREA:	1,100 S.F.
NET DENSITY:	2.88 LOTS/ACRE (7 LOTS / 2.7 ACRES)
BUILDING SETBACKS:	FRONT - 25' (EXCEPT LOT 6 - 20') SIDE - 7.5' REAR - 25' SIDE STREET - 15'
ACCESSORY BUILDINGS, POOLS AND POOL ENCLOSURE SETBACKS:	PER R-1A ZONING DISTRICT REGULATIONS.
OPEN SPACE REQUIRED:	36,822 S.F. (25%)
OPEN SPACE PROVIDED:	STORMWATER TRACT "A" = 36,850 S.F. NOTE: STORMWATER AREAS SHALL BE LANDSCAPED/AMBITIZED PER SECTION 36.1344, SEMINOLE COUNTY LAND DEVELOPMENT CODE.
POTABLE WATER SERVICE:	SEMINOLE COUNTY (7 LOTS X 350 GPD = 2,450 GPD)
FIRE PROTECTION:	SEMINOLE COUNTY (500 GPM / 30 PSI RESIDUAL)
SEWER SERVICE:	SEPTIC TANK / DRAINFIELD
AVERAGE DAILY TRAFFIC:	7 UNITS X 10.1 = 71 ADT
SCHOOL AGE CHILDREN:	7 UNITS X 0.404 = 3 STUDENTS
EXIST. LAND USE:	VACANT
EXIST. VEGETATION:	PASTURE GRASS / SCATTERED TREES
CONSERVATION AREA:	NONE

VICINITY MAP



PARCEL ID: 25-21-30-300-0120-0000
ADDRESS: 4724 DIKE ROAD

LEGAL DESCRIPTION:

THE SOUTH 12 CHAINS OF THE W 1/2 OF THE EAST 1/2 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 30 EAST, LESS WEST 140 FEET OF THE SOUTH 12 CHAINS OF THE WEST 1/2 OF THE EAST 1/2 OF THE NE 1/4 OF THE NE 1/4, LYING NORTH OF HIGHWAY, SECTION 25, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA.

CONTAINS: 145,323 SQUARE FEET OR 3.34 ACRES MORE OR LESS.

NOTES:

BEARING STRUCTURE BASED ON NORTH R/W LINE OF DIKE ROAD, BEING: S88°48'48"W. (ASSUMED)

THIS SITE IS NOT IN A FLOOD PRONE AREA, IT IS IN ZONE X, AN AREA OF MINIMAL FLOODING BASED ON FLOOD INSURANCE RATE MAP, PANEL NO. 120289 0148 E, SEMINOLE COUNTY, FLORIDA.

ELEVATIONS BASED ON NAVD 1988 DATUM, BM #4792501 BEING: 84.872 FEET.

TABLE OF CONTENTS

SHEET	TITLE
1	COVER SHEET
2	PRELIMINARY MASTER PLAN

REVISIONS:

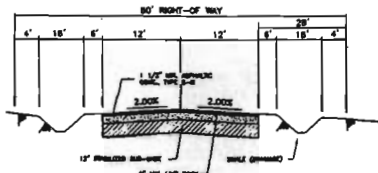
8-04-07 REVISION PER DBC REVIEW COMMENTS - PROJECT # 07-2006000

7-03-07 REVISION PER DBC REVIEW (1st REVISION) COMMENTS - PROJECT # 07-2006000

7-30-07 REVISION PER DBC REVIEW (2nd REVISION) COMMENTS - PROJECT # 07-2006000

BELLA WOODS
PRELIMINARY MASTER PLAN

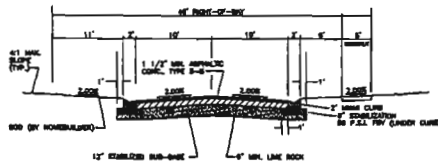
TREE



TYPICAL ROADWAY SECTION DIKE ROAD

NOTES:

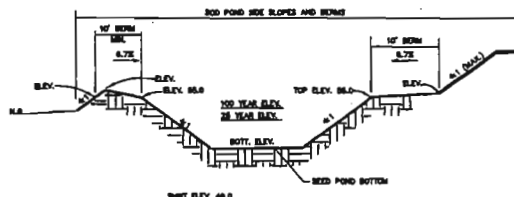
- ONE ROAD TO BE CONSTRUCTED FROM TURKAWILLA ROAD TO PROJECT ENTRANCE (APPROXIMATELY 100 FEET).
- LANE ROAD: COMPACTED TO MIN. DENS. OF MAX. DENSITY FOR ASPHALT SPECIFICATION T-100.
- STABILIZED SUB-BASE: MIN. DEPTH OF 12", COMPACTED TO MINIMUM OF MAX. DENSITY AND MINIMUM P.V. OF 75 P.S. ON L.B. OF 40.



TYPICAL ROADWAY SECTION BELLA WOODS SUBDIVISION

NOTES:

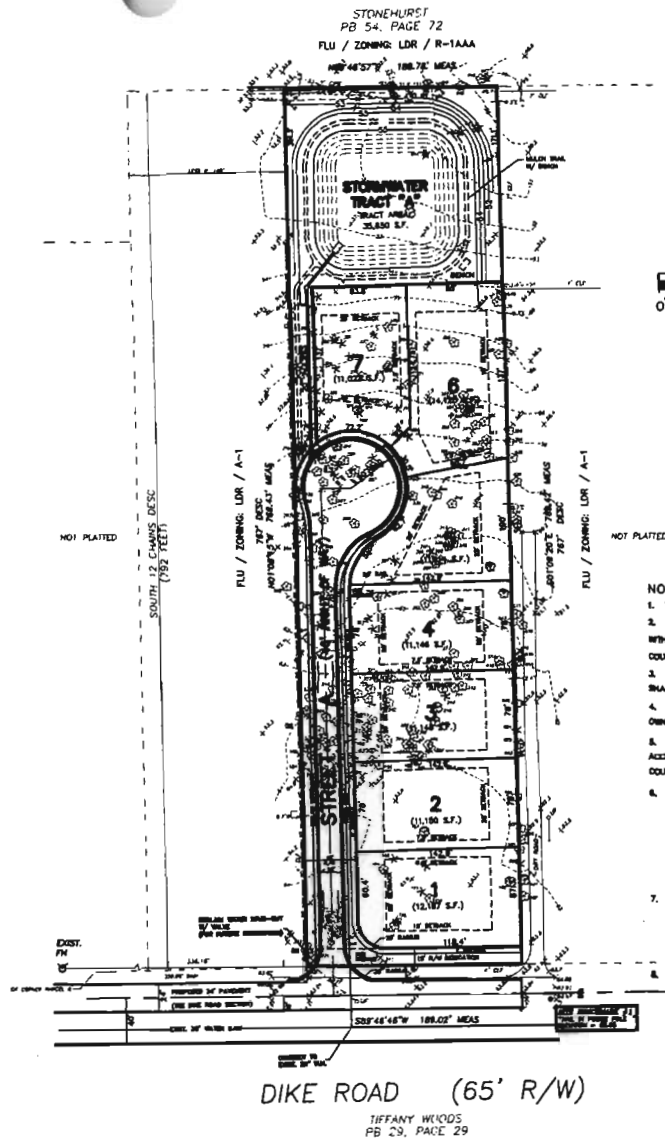
- BELLA WOODS SUBDIVISION ROADS SHALL BE PRIVATE ROADS.
- CURB-OR-SAC PAVEMENT RADII SHALL BE 45'.
- LANE ROAD: COMPACTED TO MIN. DENS. OF MAX. DENSITY FOR ASPHALT SPECIFICATION T-100.
- STABILIZED SUB-BASE: MIN. DEPTH OF 12", COMPACTED TO MINIMUM OF MAX. DENSITY AND MINIMUM P.V. OF 75 P.S. ON L.B. OF 40.



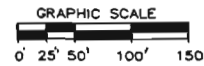
STORMWATER POND SECTION

NOTES:

- STORMWATER MANAGEMENT SYSTEM TO BE DESIGNED TO MEET THE STORMWATER REQUIREMENTS FOR SEMINOLE COUNTY AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.
- POND SLOPES SHALL COMPLY WITH APPROPRIATE LAND DEVELOPMENT CODE.



N



NET BUILDABLE AREA

SITE AREA:	3.34 ACRES
RIGHT-OF-WAY DEDICATION:	0.07 ACRES
(DIKE ROAD)	
RIGHT-OF-WAY DEDICATION:	0.57 ACRES
(STREET A)	
NET BUILDABLE:	2.70 ACRES
NET DENSITY:	2.69 LOTS/ACRE (7 LOTS/2.7 AC.)

NOTES:

- THE PROPOSED PROJECT IS LOCATED IN THE HORRELL CREEK DRAINAGE BASIN.
- THE PROPOSED STORMWATER MANAGEMENT SYSTEM WILL BE DESIGNED IN ACCORDANCE WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SURF) AND SEMINOLE COUNTY CRITERIA.
- PRIOR TO RECORDING THE FINAL PLAT, THE SUBDIVISION NAME AND STREET NAMES SHALL BE APPROVED AND LOT ADDRESSES ASSIGNED.
- SUBDIVISION ROADWAY AND COMMON AREAS (TRACT A) SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- STORMWATER TRACT SHALL BE LANDSCAPED, SCAVED, AND MAINTAINED IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE (SECTION 30.1344) TO COUNT TOWARDS THE MINIMUM 25% OPEN SPACE REQUIREMENT.
- LAND USE SUMMARY:

16' RIGHT-OF-WAY DEDICATION:	0.07 ACRES (2,836 S.F.)	2.1%
PROPOSED RIGHT-OF-WAY:	0.57 ACRES (24,796 S.F.)	17.1%
PROPOSED LOT AREA:	1.86 ACRES (81,863 S.F.)	88.3%
PROPOSED STORMWATER TRACT "A":	0.82 ACRES (35,787 S.F.)	24.5%
PROJECT AREA:	3.34 ACRES (145,323 S.F.)	100%
- OPEN SPACE SUMMARY:

REQUIRED OPEN SPACE:	35,832 S.F.
STORMWATER TRACT "A":	35,787 S.F.
TOTAL OPEN SPACE PROVIDED:	35,787 S.F.
- ON-SITE SOILS: TAYLORS-MILLOPPER FINE SAND (0-5% SLOPES).

DIKE ROAD (65' R/W)

TIFFANY WOODS
PB 29, PAGE 29

NO.	DATE	REVISION	APP'D. BY
1	1-24-97	REVISED FOR PERMITS	
2	1-24-97	REVISED FOR PERMITS	
3	1-24-97	REVISED FOR PERMITS	
4	1-24-97	REVISED FOR PERMITS	

GEORGE GARRETT & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. 8547
P.O. BOX 531085
ORLANDO, FLORIDA 32853
407-256-5852 FAX: 321-636-1035

BELLA WOODS
SEMINOLE COUNTY, FLORIDA

PRELIMINARY MASTER PLAN

SCALE: 1"=50'
JOB NO.: 0000
FILE: MASTER
DRAWN BY: SD
DATE: 8-97
SHT: C-2

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Bella Woods Rezone", dated October 23, 2007.

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to PUD (Planned Unit Development):

SEE ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order # 07-20500001 in the Official Land Records of Seminole County.

ENACTED this 23rd day of October 2007.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT "A"

LEGAL DESCRIPTION

The South 12 Chains of the W $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 21 South, Range 30 East less West 140 feet of the South 12 Chains of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Lying North of Highway, Section 25, Township 21 South, Range 30 East, Seminole County, Florida.

Contains: 145,323 Square Feet or 3.34 Acres more or less.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On October 23, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit "A".

FINDINGS OF FACT

Property Owner: H. L. RE Investments LLC
1803 S. Australian Ave Ste. A
West Palm Beach, FL 33409

Project Name: Bella Woods PUD Rezone

Requested Development Approval:

Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on approximately 3.34 acres, located on the north side of Dike Road approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road.

The Board of County Commissioners has determined that the request for rezone from A-1 (Agriculture) to PUD (Planned Unit Development) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Bella Woods rezone from A-1 (Agriculture) to PUD (Planned Unit Development)" and all evidence submitted at the public hearing on October 23, 2007, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested development approval should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is DENIED.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY
COMMISSIONERS

By: _____
Carlton D. Henley, Chairman

EXHIBIT "A"

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Contains: 145,323 Square Feet or 3.34 Acres more or less.



SEMINOLE COUNTY PUBLIC SCHOOLS School Capacity Report

To: Seminole County Board of County Commissioners

From: George Kosmac, Deputy Superintendent, Seminole County Public Schools

Date: August 14, 2007

RE. Z2007-25 Bella Woods Rezone

Seminole County Public Schools (SCPS), in reviewing the above rezone request, has determined that if approved the new zoning designation would have the effect of increasing residential density, and as a result generate additional school age children.

Description - 3.3-acres Located on the north side of Dike Road, approximately 900 feet east of the intersection of Tuskawilla Road and Dike road. The applicant is proposing to construct an 8 single family dwelling unit subdivision, at a density of approximately 2.4 dwelling units per net buildable acre.
Parcel ID #: 25-21-30-300-0120-0000.

Based on information received from Seminole County Planning and from the staff report for the request, SCPS staff has summarized the potential school enrollment impacts in the following tables:

Total Proposed units					
Total # of Units		# of Single-Family Lots		# of Multi-Family Units	
8		8		0	
Student Generation					
Impacted Schools	Projected Number of Additional Students	Current Capacity	Current Enrollment	Percent Utilization	Students Resulting from Recently Approved Developments
Elementary Red Bug	2	819	841	102.7	13
Middle Tuskawilla	1	1250	1153	92.2	33
High Lake Howell	1	2363	2241	94.9	36

Terms and Definitions:

Florida Inventory of School Houses (FISH): The numbering and data collection system developed and assigned through the Department of Education for land parcels, buildings, and rooms in public educational facilities. Based upon district data entry, FISH generates the student station counts and report data for school spaces throughout the districts and the State.

Student Stations: The actual number or count of spaces contained within a room that can physically accommodate a student. By State Board Rule, the student station count is developed at the individual room level. Prior to Class Size Reduction (CSR), the number of student stations assigned to a room was dependent upon the room size and the particular the instructional program assigned to the room. This is no longer the case for core curricula spaces (see e. below). The total number of student stations at a campus is determined by the cumulative student station count total of the rooms at the campus that are assigned student station counts.

Utilization: A State Board Rule prescribed percentage of student stations that a room (and proportionately, a school and school district) can satisfactorily accommodate at any given time. From a school/campus analysis perspective, "utilization" is determined as the percentage of school enrollment to capacity. Current DOE established K-12 utilization factors are as follows:

Elementary 100%, Middle 90%, High 95%

Capacity: The number of students that can be satisfactorily accommodated in a room at any given time and which, is typically a lesser percentage of the total number of student stations. That percentage factor is typically referred to as the "Utilization Factor". The capacity of a campus is therefore determined by multiplying the total number of student stations by the utilization factor (percentage). NOTE: Capacity is **ONLY** a measure of space, not of enrollment.

Class Size Reduction (CSR): Article IX of the Florida Constitution requires the legislature to "make adequate provision" to ensure that by the beginning of the 2010 school year, there will be a sufficient number of classrooms for a public school in core related curricula so that:

- i) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for pre-kindergarten through grade 3 does not exceed 18 students;
- ii) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 4 through 8 does not exceed 22 students; and
- iii) The maximum number of students who are assigned to each teacher who is teaching in public school classrooms for grades 9 through 12 does not exceed 25 students

School Size: For planning purposes, each public school district must determine the maximum size of future elementary, middle and high schools. Existing school size is determined solely through FISH data. Seminole County Public Schools has established the sizes of future schools (with the exception of special centers and magnet schools) as follows:

- i) Elementary: 780 student stations
- ii) Middle: 1500 student stations
- iii) High: 2,800 student stations

Projected Number of Additional Students: is determined by applying the current SCPS student generation rate (calculated by using US Census data analysis) to the number and type of units proposed. The number of units is determined using information provided by the County and/or from the applicant's request. If no actual unit count is provided the unit count is then estimated based on the maximum allowable density under the existing/proposed future land use designation.

Full Time Equivalent (FTE) - A calculation of student enrollment conducted by The Florida Department of Education (FDOE) authorized under Section 1011.62, Florida Statutes to determine a maximum total weighted full-time equivalent student enrollment for each public school district for the K-12 Florida Educational Funding Program (FEFP).

Students Resulting from Recently Approved Developments is a summary of students generated from developments approved and platted since January 2005. Student enrollment changes due to existing housing are excluded from these totals.

Comments:

The students generated at the Elementary and Middle and High school level resulting from the proposed development, would at this point be able to be absorbed into the zoned schools without adverse affect. While there are no planned expansions/additions in the current five-year capital plan that would provide additional student capacity to relieve the affected schools, the addition of these students would not require consideration.

In addition to the students generated from the proposal, the number of students expected from recent developments in the attendance areas of the affected schools would also place further capacity pressures on the school system. These new developments combined with this proposal and any subsequent approvals may affect the provision of concurrent school facilities at the point of final subdivision approval, including the potential of not meeting statutory concurrency requirements.